



Comptroller General
of the United States

128206

Washington, D.C. 20548

Decision

Matter of: Grand Inn Holding Company

File: B-257407


Date: June 20, 1994

DECISION

Grand Inn Holding Company protests the rejection of its bid as nonresponsive by the Department of the Army under invitation for bids (IFB) No. DABT63-94-B-0010.

Subsequent to the filing of this protest, the agency agreed that the bid should not have been rejected as nonresponsive, thus rendering the protest academic. The jurisdiction of our Office is established by the bid protest provisions of the Competition in Contracting Act of 1984, 31 U.S.C. §§ 3551-3556 (1988). Our role in resolving bid protests is to ensure that the statutory requirements for full and open competition are met. Brown Assocs. Mgmt. Servs., Inc.-- Request for Recon., B-235906.3, Mar. 16, 1990, 90-1 CPD ¶ 299.

The General Accounting Office will not consider protests where the issue presented has no practical consequences with regard to an existing federal government procurement, and thus is of purely academic interest. Accordingly, the protest is dismissed.¹


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Assistant General Counsel

¹To the extent that Grand Inn is challenging the eligibility of the low bidder, the only basis presented relates to that company's size status, a matter not for consideration by our Office. 4 C.F.R. § 21.3(m)(2) (1994). We also note that the low bidder's size status has been protested to the Small Business Administration, which has conclusive authority to determine matters of small business size status for federal procurements. Survive Eng'g Co., B-235958, July 20, 1989, 89-2 CPD ¶ 71.